

Report to Committee

Planning and Development Division

Re:	Application by Brook Pooni Associates Inc. for	a Zonine	a Text Amendment
From:	Wayne Craig Director, Development	File:	RZ 15-707253
To:	Planning Committee	Date:	March 1, 2017

Re: Application by Brook Pooni Associates Inc. for a Zoning Text Amendment to the Light Industrial (IL) Zone to Permit Outdoor Storage at 16160 and 16268 River Road

Staff Recommendation

That Richmond Zoning Bylaw 8500, Amendment Bylaw 9697, for a Zoning Text Amendment to the "Light Industrial (IL)" zone to permit "outdoor storage" at 16160 and 16268 River Road, be introduced and given first reading.

Wayne Craig Director, Development

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	REPORT CONCURRENCE			
	CONCURRENCE OF GENERAL MANAGER			
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	FOR JOK KPUELA			

Staff Report

Origin

Brook Pooni Associates Inc. has applied to the City of Richmond for permission to amend the "Light Industrial (IL)" zoning district of Zoning Bylaw 8500 to add "outdoor storage" as a site-specific permitted use at 16160 and 16268 River Road (Attachment 1).

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is contained in Attachment 2.

There is a history of rezoning applications in the 16000 block of River Road whereby properties have requested zoning to allow for limited light industrial activities generally restricted to outdoor storage, commercial vehicle parking and storage and small industrial/workshop spaces. The rationale for these previous rezonings was to enable these properties to be utilized for uses compatible with the "Industrial" Official Community Plan land use designation for this area while also acknowledging the limited City services (i.e., City sanitary sewer service) necessary to facilitate more intensive industrial development (i.e., warehousing and manufacturing). The Interim and Long-Term Action Plan for the 16000 Block of River Road was a land use strategy approved by Council in February 2008 to consider land use proposals in this area and is discussed in greater detail in the Related Policies and Studies section of this staff report.

Four properties have been approved, through rezoning, to allow for interim industrial land uses (i.e., outdoor storage and commercial vehicle parking and storage):

- 16360 River Road (RZ 10-523713)
- 16700 River Road (RZ 12-603740)
- 16540 River Road (RZ 10-524476)
- 16780 River Road (RZ 09-503308)

Attachment 3 contains a map of these approved rezoning applications in the 16000 Block of River Road.

Surrounding Development

The subject properties contain a total of four light industrial buildings on the north portion of the site close to River Road with open yard space on the remaining portions. A 15 m Riparian Management Area (RMA) is situated along the north edge of the subject sites associated with an existing watercourse within the River Road allowance.

To the North: River Road and the foreshore of the Fraser River

To the South: An active rail line. Further south are "Agriculture (AG1)" zoned properties contained in the Agricultural Land Reserve (ALR).

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- To the East: A property zoned "Light Industrial (IL)" with commercial vehicle parking and storage activities.
- To the West: A property zoned "Light Industrial (IL)" with commercial vehicle parking and storage activities.

Related Policies & Studies

Official Community Plan (OCP)

The subject sites are designated "Industrial" in the OCP. The proposal to allow for outdoor storage to be permitted on the subject site only under the existing "Light Industrial (IL)" zoning complies with the OCP.

Floodplain Management Implementation Strategy

The proposed redevelopment must meet the requirements of the Richmond Flood Plain Designation and Protection Bylaw 8204. Registration of a flood indemnity covenant on Title is required prior to final adoption of the rezoning bylaw.

Interim and Long Term Action Plan – 16000 Block of River Road

The Interim and Long Term Action Plan for the 16000 Block of River Road (Attachment 4) was approved by Council in 2008 as a land use strategy to help guide consideration of certain land uses (i.e., commercial vehicle truck parking, outdoor storage and limited light industrial development) in this area. Rezoning applications must be submitted for these uses and supporting materials to address traffic, existing watercourses (RMA) and landscape buffers must be provided. This rezoning application is consistent with the Plan.

Public Consultation

A rezoning sign has been installed on the subject property. Staff have not received any comments from the public about the rezoning application in response to the placement of the rezoning sign on the property.

Should the Planning Committee endorse this application and Council grant 1st reading to the rezoning bylaw, the bylaw will be forwarded to a Public Hearing, where any area resident or interested party will have an opportunity to comment.

Public notification for the Public Hearing will be provided as per the Local Government Act.

Analysis

Land Use Proposal and Proposed Zoning Amendment

The applicant notes that their existing and prospective industrial tenants are requesting outdoor storage in support of industrial operations on the subject site. Outdoor storage activities are proposed to be located on portions of the site not currently occupied by buildings or used for

employee vehicle parking and driveway purposes, generally on the southern half of each property (Attachment 5 – Conceptual Development Plan).

This proposal does not involve consolidation of the two properties.

Proposed Zoning Amendment

Outdoor storage is proposed to be added as a permitted use on a site specific basis only in the existing "Light Industrial (IL)" zoning district applicable to the subject site. Restrictions to outdoor storage activities are also proposed to ensure the following:

- No outdoor storage or wrecked/salvaged goods, hazardous materials or those that pose potential nuisances (dust/dirt carried by weather elements) to surrounding areas.
- Outdoor servicing of vehicles and equipment is not permitted.
- A maximum height of 4.5 m applicable to outdoor storage activities is proposed to limit the height of storage activities and minimize impacts to surrounding properties.

The proposal to permit outdoor storage on a site-specific basis, with the restrictions referenced above, is consistent with other rezoning applications approved in this area.

Transportation and Site Access

Existing and Proposed Configuration

Each property has an existing driveway access to River Road. For the eastern property (16268 River Road), the driveway access is proposed to be modified to allow for larger truck access/egress. The driveway access at 16268 River Road will be modified (including widening) to implement physical traffic control measures and signage, ensuring trucks only enter the site with an eastbound to southbound turning movement and exit with a northbound to westbound turning movement. These measures will prevent trucks from travelling on River Road east of the 16000 block. Directional signage will be installed on River Road at the cost of the applicant (voluntary contribution of \$1,000 being secured as a rezoning consideration) to direct trucks west towards No. 6 Road.

For the western property (16160 River Road), the driveway access is proposed to be modified to prevent use by larger trucks and will only be used by passenger vehicles. Submission of a proposed functional design of the driveways at 16268 River Road and 16160 River Road to the approval of the City's Transportation Department, including construction and implementation of the works are a rezoning consideration for this project. The Transportation Department has reviewed the submitted Traffic Impact Assessment submitted for this proposal by the applicant's Transportation Engineer and concur with the recommendations and overall approach to managing vehicle access to and from the subject properties. This approach to manage vehicle access and egress along River Road is consistent with requirements for other recent rezonings in the area.

The two subject properties are not being consolidated; therefore, a legal agreement will be required to secure an easement between the two properties to enable vehicles (passenger vehicles

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and trucks) to cross between the lots. The legal agreement for the easement is to be secured as a rezoning consideration.

Future Transportation Infrastructure

In support of the transportation objective to establish an industrial service road that would generally run parallel to and south of River Road over the long-term, a 20 m wide land dedication along the entire south edge of the subject site is being secured as a rezoning consideration and is consistent with other land dedications secured in the area.

Upon completion of the east-west road to the south, the existing driveway accesses along River Road must be closed and the existing driveway/culvert crossings removed at the property owners cost. Registration of a legal agreement on both 16160 and 16268 River Road to require removal of the existing vehicle access/driveway from River Road once the new industrial road services the subject properties is required and secured as a rezoning consideration.

In support of the OCP transportation objectives related to use of River Road by a wide range of users (i.e., vehicles, cyclists, pedestrians), a voluntary contribution (\$29,950) is being secured as a rezoning consideration to be used for a future River Road infrastructure and planning study. The timing and terms of reference of the study will be determined by the City's Transportation Department.

Riparian Management Area

There is an existing 15 m wide Riparian Management Area (RMA) along the subject properties River Road frontage for an existing watercourse. On both properties, existing parking and driveway crossings are already located within the RMA. This project proposes RMA planting enhancements along the north edge of the site. A drafted landscape plan is contained in Attachment 6. A plan for the RMA, prepared by the applicant's Qualified Environmental Professional, is required to be submitted and approved by staff as a rezoning consideration for this application.

Landscape Buffer

The RMA plan and preliminary landscape plan referenced above will provide a buffer along the north edge of the site to screen the industrial uses and outdoor storage activities proposed on the southern portions of the subject site. This buffer will generally consist of a post-rail fence, a mix of deciduous and conifer trees and groundcovers and shrubs. Due to the buffers location in the RMA, all fencing and plantings proposed by the applicant's QEP is required to be compliant with Provincial RMA guidelines. The submission and final approval (including bonding) of the landscape buffer plan is required through the applicant's QEP plan for the RMA, which is a rezoning consideration for the site.

Site Servicing and Frontage Improvements

Engineering Planning staff have not identified any servicing works or infrastructure upgrades. A 4 m wide statutory right-of-way (SRW) along both subject properties entire River Road frontage (south of the existing 6 m SRW) is required for future dyke and utility purposes and is a rezoning consideration for this project.

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Financial Impact or Economic Impact

The Zoning Text Amendment application results in insignificant Operational Budget Impacts (OBI) for off-site City infrastructure.

Conclusion

The purpose of the Zoning Text Amendment application is to amend the "Light Industrial (IL)" zoning district of Zoning Bylaw 8500 to add "outdoor storage" as a site-specific permitted use at 16160 and 16268 River Road. The proposal will enable existing and future industrial tenants on the subject site to have outdoor storage activities in support of operations on both subject properties and is consistent with Interim Action Plan and other applications approved in the 16,000 block of River Road.

Staff supports this Zoning Text Amendment application as it supports use of industrial zoned and designated land and all traffic, buffering and RMA issues have been addressed.

It is recommended that Richmond Zoning Bylaw 8500, Amendment Bylaw 9697 be introduced and given first reading.

Kevin Eng Planner 2

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Attachment 1: Location Map

Attachment 2: Development Application Data Sheet

Attachment 3: Map of Rezoning Applications in the 16,000 Block of River Road

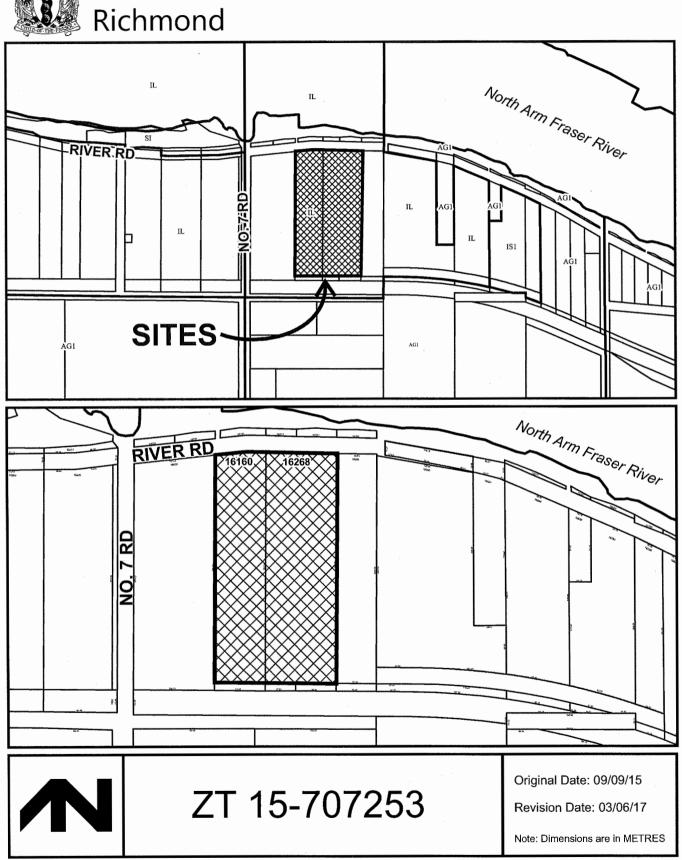
Attachment 4: Interim and Long Term Action Plan - 16,000 Block of River Road

Attachment 5: Conceptual Development Plan

Attachment 6: Conceptual Landscape Plan

Attachment 7: Rezoning Considerations









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Original Date: 09/09/15

Revision Date: 09/10/15

Note: Dimensions are in METRES



Development Application Data Sheet

Development Applications Department

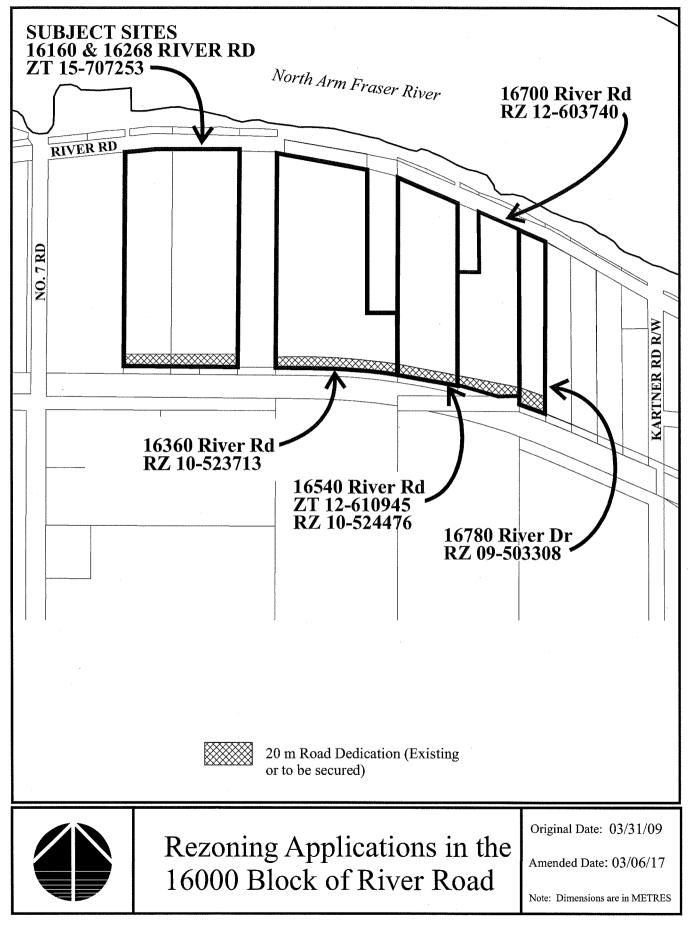
RZ 15-707253

Attachment 2

Address: 16160 and 16268 River Road

Applicant: Brook Pooni Associates Inc.

	Existing	Proposed	
Owner:	16160 River Road – H. Brum Enterprises 16268 River Road – H. Brum Enterprises	No change	
Site Size (m ²):	16160 River Road – 17,787 m ² 16268 River Road – 24,998 m ²	No change	
Land Uses:	Industrial activities	Industrial and outdoor storage activities	
OCP Designation:	Industrial	No change - complies	
Zoning:	Light Industrial (IL)	Light Industrial (IL) Outdoor Storage – Site Specific	



The City of Richmond *Interim* Action Plan 16,000 Block of River Road

(Revised based on Public Consultation Feedback)

Land Use

- □ The 16,000 block of River Road:
 - o Is currently designated for 'Business and Industry' in the City's Official Community Plan (OCP).
 - Outdoor parking and storage of vehicles and goods would be consistent with the existing OCP land use designation.
 - This land is not within the Agricultural Land Reserve.
 - Agri-Industrial service activities (operations that support or are directly related to a farm) can also be considered as a potential land use under the "Business and Industry" designation.
- □ The 17,000 block of River Road:
 - No land use changes are proposed as part of the Interim Action Plan as the properties are contained within the Agricultural Land Reserve and designated for "Agriculture" in the existing OCP.

Proposed Approach to Rezoning Applications

- The City is proposing a restrictive Comprehensive Development District zone in this area. This will allow (if permitted) outdoor storage and parking of vehicles and goods under a set of regulations and conditions – Fencing; Screening; Storage Setbacks; Permeable surface treatment.
- The proposed Comprehensive Development District zone will limit the uses and restrict the amount and size of buildings.

Technical Objectives and Issues

Engineering

- The 16,000 block of River Road is currently **not** adequately serviced by City storm and sanitary systems to sufficiently support intensive light industrial activities involving warehousing/manufacturing buildings or agri-industrial service uses.
- Rezonings proposing outdoor vehicle storage and parking can be considered, as this use would have minimal impacts on City services.

Transportation

- Vehicle access for traffic generated from proposed uses (i.e., commercial vehicle parking and storage) is to be arranged to mitigate the use and related impact of truck traffic on River Road.
- City staff have recommended that the applicants explore a shared vehicle access across the properties under rezoning application to limit truck and vehicle use of River Road.
- Appropriate traffic assessments and upgrades to applicable portions of River Road and No. 7 Road must be undertaken.

Existing Soil/Fill Conditions

Confirmation from the Ministry of Environment that any fill previously located on the sites does not pose a contamination risk or negative impact to surrounding areas. A report prepared by the appropriate professional is required to be submitted to the Ministry of Environment to confirm this. The rezoning applicants are to undertake this process, keeping City staff informed of progress and approvals.



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Rezoning Considerations (To be completed by the rezoning applicants)

- □ Submit an acceptable fence and landscape buffer scheme.
- Registration on title legal agreements securing shared vehicle access by rezoned properties and restricting access to River Road based on the recommendations set out in the traffic assessment and approved by the City (additional consideration based on public feedback).
- □ Complete a traffic assessment of **River Road** from No. 7 Road to the eastern extent deemed to be impacted by traffic generated by properties along River Road (16,000 Block).
- Complete a traffic assessment of No. 7 Road from Westminster Highway to River Road by traffic generated by properties along River Road (16,000 Block)(additional consideration based on public feedback).
- Any traffic control measures, joint access infrastructure or road upgrades, including any traffic calming features to minimize the truck impacts in the area, identified as part of the traffic assessment of applicable portions of River Road and No.7 Road (reviewed and approved by City staff) will be the responsibility of the rezoning applicants to complete (additional consideration based on public feedback).
- Dedication of a 20 metre wide strip of land along the south property line of each property to facilitate the creation of a new road.

Forthcoming Process

- Rezoning applicants will be given a deadline of March 31, 2008 to complete the necessary studies and plans and submit the following materials to City staff for review:
 - Traffic assessments for applicable portions of River Road and No. 7 Road (additional consideration based on public feedback).
 - Geotechnical reports, which have been forwarded to the Ministry of Environment for review and approval, to confirm that the sites do not pose any contamination risk or negative impact to surrounding areas.
 - o A buffer and landscaped screen plan for the properties under rezoning application.
- Should Council approve the staff recommendation, this decision will be integrated into the forthcoming City wide review of the OCP.



The City of Richmond Long-Term Action Plan 16,000 Block of River Road

(Revised based on Public Consultation Feedback)

Land Use Examination

- Monitor outdoor vehicle and goods parking/storage to ensure compliance to regulations and Interim Action Plan provisions.
- □ Future rezoning applications will be required, should property owners wish to undertake more intensive light industrial activities or agri-industrial service activities.
- Intensive light industrial uses or agri-industrial service activities is consistent with the existing City's Official Community Plan (OCP) 'Business & Industry' land use designation.
- Review agri-industrial service operations to determine if specialized zoning provisions are required.

Technical Objectives and Issues

Traffic and Transportation

- Establishment of a new road access east of No. 7 Road to serve as the future vehicle access to potential light industrial activities.
- The proposed alignment for a new road east of No. 7 Road is along the south property line of the River Road properties (a 20 metre wide future road dedication will be secured through current rezoning applications).
- Design and construction of a new road east of No. 7 Road would be undertaken when the road can be made functional.

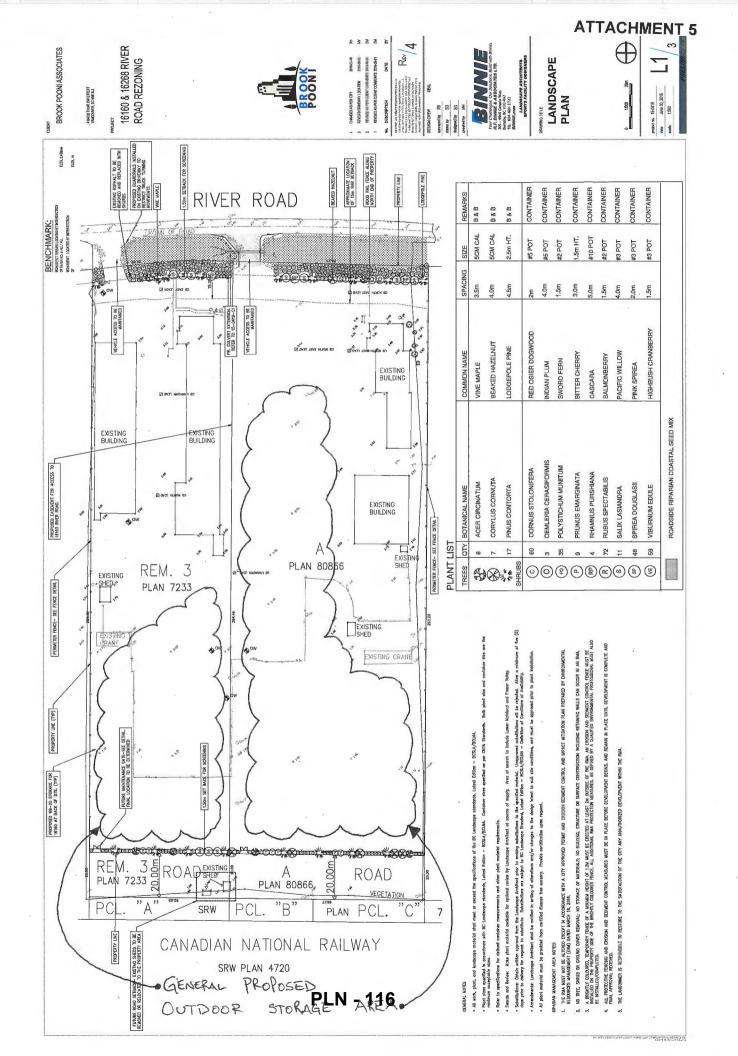
City Servicing

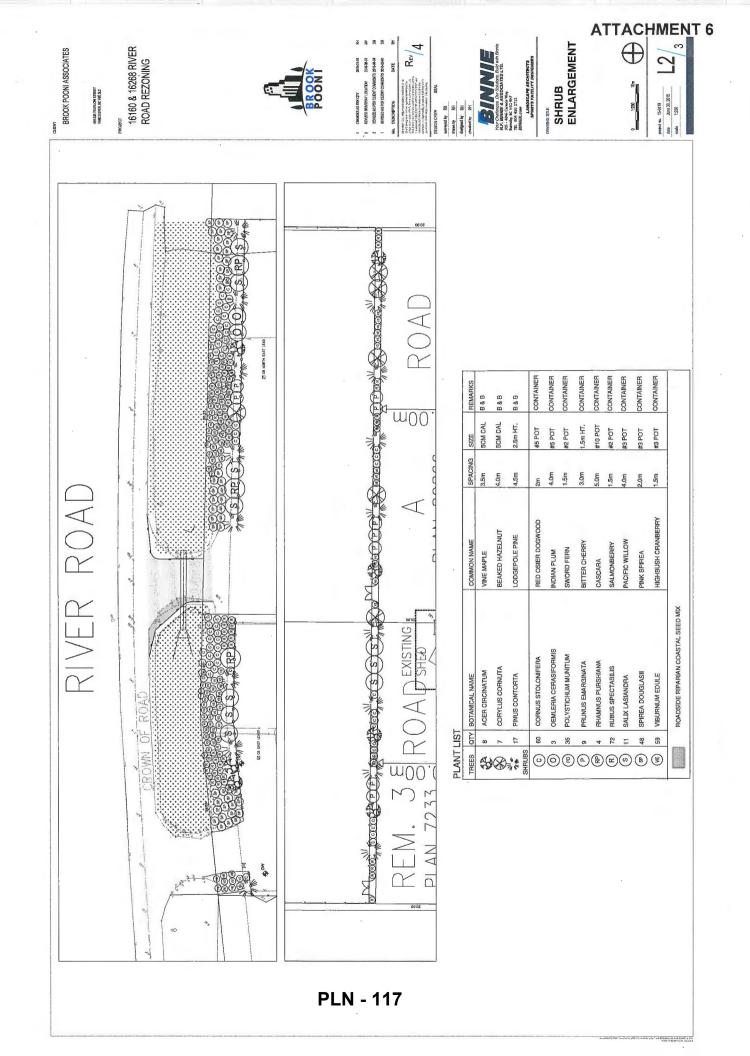
- □ Intensive light-industrial uses and agri-industrial service activities will require the appropriate servicing infrastructure (sanitary, storm and water systems), which entails significant works to be undertaken.
- Resolution of City servicing constraints will be required through future rezoning applications in this area to more intensive light industrial uses.

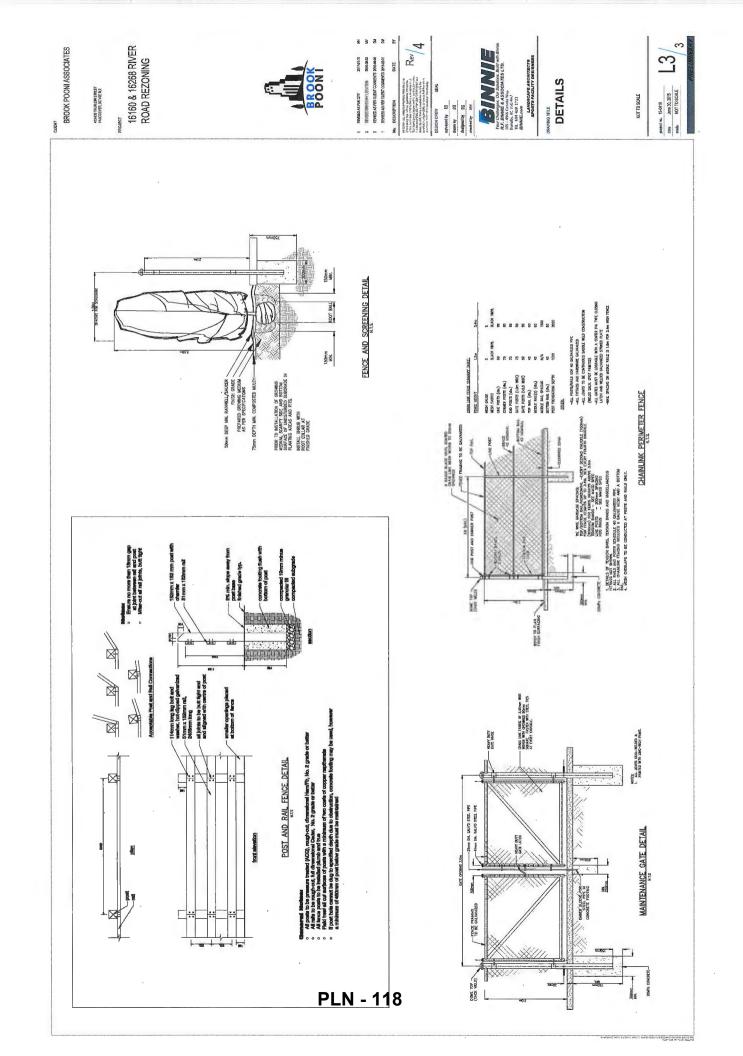
Forthcoming Process

Should Council approve the staff recommendation, this decision will be integrated into the forthcoming City wide review of the OCP.









ATTACHMENT 7



Rezoning Considerations

Development Applications Department 6911 No. 3 Road, Richmond, BC V6Y 2C1

Address: 16160 and 16268 River Road

File No.: RZ 15-707253

Prior to final adoption of Richmond Zoning Bylaw 8500, Amendment Bylaw 9697, the developer is required to complete the following:

- 1. 20 m wide road dedication along the entire south property line of 16160 and 16268 River Road.
- 2. The granting of a 4 m wide statutory right-of-way along the north portion of 16160 and 16268 River Road, directly south of and abutting SRW Plan 83073 for dyke and utility purposes.
- 3. Registration of a flood plain covenant on title identifying a minimum habitable elevation of 3.1 m GSC.
- 4. Registration of a legal agreement on title ensuring that each existing vehicle access and culvert crossing to 16160 and 16268 River Road providing access to the properties from River Road must be closed and removed at the sole cost of the property owner once the new industrial road on the south portion of each property is operational and services 16160 and 16268 River Road. The legal agreement will also include provisions for the owner of 16160 and 16268 River Road to obtain any necessary approvals and permits for works to remove the driveway access/culvert crossing, including ensuring all works comply with Provincial Riparian Area Regulations.
- 5. Registration of a cross-access easement between 16160 and 16268 River Road (legal agreement cannot be modified or discharged without prior approval from the City) to enable passage of motor vehicles (all types) between 16160 and 16268 River Road to allow access to each property's driveway access to River Road.
- 6. Submission and approval (from the Director of Transportation) of a finalized design (prepared by a professional transportation engineer) and completion of construction to modify the existing driveway access for:
 - a) 16160 River Road To design and implement traffic control measures to enable access/egress to passenger vehicles only.
 - b) 16268 River Road To design and implement traffic control measures that prohibits right-out (northbound to eastbound) and left in (westbound to southbound) for commercial trucks. Design and works to include widening of the existing driveway crossing to accommodate right-in (eastbound to southbound) truck turning movements into the site.

Note: Completion of construction of the approved driveway access design modification (including inspection from the consulting Transportation Engineer) and follow-up inspection and approval by City Transportation staff is required prior to final adoption of the zoning amendment bylaw.

- 7. Voluntary contribution of \$1,000 to go towards the generation and posting of the necessary traffic control signage along River Road as recommended in the applicant's Traffic Impact Assessment.
- 8. Voluntary contribution of \$29,950 for the purposes of undertaking future City study and examination of River Road.
- 9. Submission and approval (by the Director of Engineering) of a plan by a Qualified Environmental Professional (QEP) to address works, compensation and buffer plantings in or adjacent to the Riparian Management Area on the north portions of 16160 and 16268 River Road based on the following terms of reference:
 - a) Generally consistent with the conceptual landscape buffer and RMA plan submitted as part of this land use application.
 - b) Compliant with all Provincial Riparian Area Regulations.
 - c) QEP is required to include a Construction Environmental Management Plan for submission and approval by the City.
 - d) Plan is required to include a review and recommendations from the QEP for any works/modifications to the existing driveway access/culvert crossings at 16160 and 16268 River Road in the RMA.
 - e) Works within the RMA to be supervised by a QEP.

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Initial:

f) A cost estimate for works is required to be included in the plan submission. A bond based on the approved cost estimate by the City is required to be submitted prior to final adoption of the zoning amendment bylaw to ensure implementation of the works.

Note:

• Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.

- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contain prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

- SIGNED COPY ON FILE -

Signed

Date

Bylaw 9697



Richmond Zoning Bylaw 8500 Amendment Bylaw 9697 (ZT 15-707253) 16160 and 16268 River Road

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

- 1. Richmond Zoning Bylaw 8500 is amended by:
 - a. Inserting the following properties into Section 12.2.11.3 Other Regulations in the Light Industrial (IL) zone:

"16160 River Road P.I.D. 004-361-130 Lot 3 Except Firstly: East 124 Feet; Secondly: Part On SRW Plan 71683; Section 14 Block 5 North Range 5 West New Westminster District Plan 7233

16268 River Road P.I.D. 013-418-688 Lot A Section 14 Block 5 North Range 5 West New Westminster District Reference Plan 80866"

2. This Bylaw may be cited as "Richmond Zoning Bylaw 8500, Amendment Bylaw 9697".

MAYOR

CORPORATE OFFICER